

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Cynthia Florence Dmochowski, *et al.*
Serial No.: 10/010,656
Filed: December 6, 2001
Title: ONLINE CAPITAL APPROVAL PROCESS
Grp./A.U.: 3691
Examiner: I. Jung Liu Confirmation No.: 8740

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being electronically filed with United States Patent and trademark Office on:	
December 19, 2007	(Date)
Karen Vertz	
(Printed or typed name of person signing the certificate)	
Karen Vertz	
(Signature of the person signing the certificate)	

Sir:

**PETITION FOR REVIVAL OF AN APPLICATION FOR
PATENT ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

The Applicant's attorney respectfully petitions the Commissioner of Patents and Trademarks to revive the above-identified Application under the provisions of 37 C.F.R. § 1.137(b) on the ground that for the present Assignee, Agere Systems Inc. ("Agere"), the party holding the present entire interest, the abandonment of the above Application was completely unintentional.

Accordingly, the Applicant respectfully requests that the Application be revived in view of the following unintentional circumstances.

The present Application was filed on December 6, 2001, by the firm of Schnader, Harrison, Segal, and Lewis L.L.P. (“Schnader L.L.P.”). The filing receipt for the above Application was received by Schnader L.L.P. on January 14, 2002.

This Application was transferred to the docket of a patent attorney, Mr. Lester H. Birnbaum (“Birnbaum”), Registration No. 25,830, on March 1, 2002. This transference was evidenced by a “Change of Correspondence Address” to Mr. Birnbaum, filed on March 1, 2002, with the U.S.P.T.O. An updated filing receipt, received by Mr. Birnbaum, was mailed on March 7, 2002 by the U.S.P.T.O. Mr. Birnbaum was a patent attorney named on the “Declaration and Power of Attorney” as originally filed on December 6, 2001.

On July 22, 2002, Schnader L.L.P. submitted a “Petition of Withdrawal of Attorney of Record. This Petition was denied by the U.S.P.T.O. for reasons noted on the “Decision on Request for Withdrawal of Attorney” mailed October 11, 2002. (*See* “Exhibit A”).

This Application was then transferred to Hitt Gaines, P.C., on or about March 24, 2003. On July 21, 2004, Hitt filed an “Associate Power of Attorney” for Hitt Gaines, P.C. as filed with the U.S.P.T.O. (*See* “Exhibit B1.”) Also, on this date, a “Change of Correspondence Address” was filed that also changed the associated “Customer Number” for this Application to Customer No. 27,964, referring to a mailing address for Hitt Gaines, P.C. (*See* “Exhibit B2”). The “Change of Correspondence Address and the Associate Power of Attorney” was received at the U.S.P.T.O. on July 29, 2004. A self-addressed postcard was returned from the U.S.P.T.O. as evidence of this. (*See* “Exhibit B3”). Also, an entry in “Private PAIR” shows that the receipt of the “Change of Correspondence Address” and the “Associate Power of Attorney” was stamped and received by the U.S.P.T.O. on July 29, 2004. (*See* “Exhibit B4i and B4ii”).

On September 29, 2005 a first "Status Inquiry" was sent by facsimile to the U.S.P.T.O. by Hitt Gaines, P.C. regarding this Application. An Auto-Reply Facsimile Transmission was received from the U.S.P.T.O. Also, on July 18, 2006, a second "Status Inquiry" was sent by facsimile to the U.S.P.T.O. by Hitt Gaines, P.C. regarding this Application, in which an "Auto-Reply Facsimile Transmission" was received from the U.S.P.T.O. on February 16, 2007, Hitt Gaines, P.C. filed an electronic status inquiry that was acknowledged by the U.S.P.T.O. (*See* "Exhibits C1 through C3ii").

However, on the "Acknowledgement Receipt" of Feb. 16, 2007, for the electronic status inquiry, (*See* Exhibit C3ii), Mr. Birnbaum's name and address was still shown as the Customer No. and Correspondence Address, despite Hitt Gaines, P.C.'s previous filing of the "Change of Correspondence Address" ("Exhibit B2"). In all of these above status requests, even though the "Change of Correspondence Address" was stamped as received by the U.S.P.T.O. on July 29, 2004, any answers to the inquiries were mailed to Mr. Birnbaum, not to Hitt Gaines, P.C., as should have occurred. (*See* "Exhibits D1-D2ii"). Furthermore, the response to the status inquiries B1 and B2 were returned to the U.S.P.T.O. when the U.S.P.T.O. did try to deliver to Mr. Birnbaum as "Not Deliverable As Addressed". (*See* "Exhibits E1-E2"). The Applicants are unable to discern whether the U.S.P.T.O. responded to the February 16, 2007 status inquiry.

Furthermore, "Private PAIR" was checked to determine the status for this above case on July 20, 2004, December 9, 2004, April 19, 2005, September 29, 2005, and January 31, 2006 by Hitt Gaines, P.C. These Private PAIR status checks showed an Office Action had not been issued. (*See* "Exhibits F1-F5").

A First Non-Final Office Action for this Application was mailed November 6, 2006 to Mr. Birnbaum. (*See* "Exhibit G1"). However, it was docketed as "returned" in Private PAIR, and was

received as “Not Deliverable as Addressed” on November 13, 2006 by the U.S.P.T.O. (*See* “Exhibit G2”). This Application therefore became unintentionally abandoned 6 months later, on May 6, 2007.

However, Hitt Gaines, P.C. did not receive this Office Action until August 13, 2007. (*See* Exhibit G1). Hitt Gaines, P.C. filed a second request with the U.S.P.T.O. for a change of correspondence address and power of attorney. Consequently, a “Revocation of Power of Attorney, a New Power of Attorney and a Change of Address” was filed to Customer No. 27,964 on August 15, 2007 with the U.S.P.T.O. by Hitt Gaines, P.C. (*See* “Exhibit H1”).

A “Notice of Acceptance of Power of Attorney” was mailed August 24, 2007 to Hitt Gaines, P.C. from the U.S.P.T.O. and was received by Hitt Gaines, P.C. on August 28, 2007. (*See* “Exhibit H2.”) However, the corresponding “Notice Regarding Change of Power of Attorney,” sent to Mr. Birnbaum was returned as “Not Deliverable as Addressed” and docketed as such on September 5, 2007 by the U.S.P.T.O. (*See* “Exhibits H3i-H3ii”).

All of the above circumstances and actions by the Applicants through their attorney indicate that the Applicants unintentionally failed to respond to the First Office Action and the “Notice of Abandonment.” Once the issuance of the First Office Action and the Notice of Abandonment was discovered, this Petition to Revive and a response to the First Office Action was docketed and prepared. Therefore, in view of the foregoing, the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. §1.137(b) was unintentional.

Additionally, the Applicants respectfully state that the abandonment of the Application was not the fault of the Applicants, as the U.S.P.T.O. did not properly update its Correspondence Address

for this Application that was properly filed on July 26, 2004. (See Exhibit B2.) Therefore, the Applicants respectfully request a refund of the petition fee.

The Commissioner is hereby authorized to charge the petition fee and any other fees connected with this communication to Deposit Account No. 08-2395.

The Applicant requests the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present Application.

Respectfully submitted,


HITT GAINES, P.C.

David H. Hitt

Registration No. 33,182

Dated December 11, 2007

P.O. Box 832570
Richardson, Texas 75083
(972) 480-8800



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

OCT 11 2002

Lester H. Birnbaum
6308 Sauterne Drive
Macungie, PA 18062

MAILED

OCT 11 2002

Office of the Director
Group 3600

In re application of :
Cynthia Florence Dmochowski, et al. :
Application No. 10/010,656 :
Filed: December 06, 2001 :
For: ONLINE CAPITAL APPROVAL :
PROCESS :

DECISION ON REQUEST
FOR WITHDRAWAL OF
ATTORNEY

This is a decision on the request filed on July 22, 2002, under 37 CFR 1.36 and MPEP 402.06, requesting permission to withdraw as the attorney of record in the above-identified application.

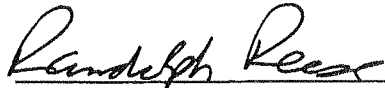
The request is **NOT APPROVED**.

Under 37 CFR 1.36 an attorney may withdraw only upon application to and approval by the Commissioner. It should be noted that a withdrawal is effective when approved, not when filed. For approval of such a request the following conditions must be met:

- A) Each attorney of record must sign the notice of withdrawal, or the notice must contain a clear indication of one attorney signing on behalf of another, because the Office does not recognize law firms;
- B) There must be at least 30 days between approval of the withdrawal and the later of the expiration date of a time period for reply or the expiration date of the period which can be obtained by a petition and fee for extension of time under 37 CFR 1.136(a);
- C) A proper reason for the withdrawal as enumerated in 37 CFR 10.40(b) or subsection (1)-(6) of 37 CFR 10.40(c) must be provided;
- D) The applicant or patent owner must have been notified of the withdrawal as provided for in 37 CFR 1.36.

The request to withdraw as attorney is not accepted in the above identified application because it lacks conditions A), and D) above. The request is made on behalf of all the attorneys associated with Customer Number 22469. However, this customer number does not include attorneys Sharon Fenwick and Felicity Groth. Also there is no indication that the applicant was notified of the withdrawal request.

In summary, the request is **NOT APPROVED.**

A handwritten signature in cursive script, reading "Randolph Reese", is written over a horizontal line.

Randolph Reese, Special Programs Examiner
Technology Center 3600
Telephone Number (703) 308-2121
Facsimile No.: (703) 605-0586

AM/RR: 10-02-02

EXHIBIT B1**DOCKET NO. : C. DMOCHOWSKI 1-1-1-1****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Cynthia F. Dmochowski, et al.

Serial No.: 10/010,656

Filed: December 6, 2001

For: ONLINE CAPITAL APPROVAL PROCESS

Group No.: 2171

Examiner: N/A

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313, on 21 July 2004.
(Printed or typed name of person making the certification)
Scott W. McLellan
(Signature of the person signing the certificate)

Sir:

ASSOCIATE POWER OF ATTORNEY

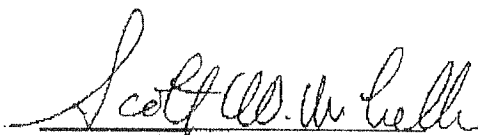
Please recognize:

David H. Hitt, Registration No. 33,182
Charles W. Gaines, Registration No. 36,804
Greg H. Parker, Registration No. 44,995
Jimmy L. Heisz, Registration No. 38,914
Richard D. Krobusek, Registration No. 44,851
James Joel Justiss, Registration No. 48,981
Ron J. Corbett, Registration No. 47,500

of Hitt Gaines, P.C.; P.O. Box 832570, Richardson, Texas 75083-2570 as our associate attorneys/agents in the above-mentioned application, with full power to prosecute said application, to make alterations and amendments therein, and to transact all business in the Patent and Trademark Office connected therewith.

Telephone calls should be made to David H. Hitt by dialing (972) 480-8800.

All written communications are to be addressed to David H. Hitt of Hitt Gaines, P.C.; P.O. Box 832570, Richardson, Texas 75083-2570.


Scott W. McLellan
Attorney for Applicants
Registration No. 30,776

Date:

21 July 2004

EXHIBIT B2

PTO/SB/122 (09-03)

Approved for use through 11/30/2005. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CHANGE OF CORRESPONDENCE ADDRESS Application

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450.

Application Number	10/010,656
Filing Date	December 6, 2001
First Named Inventor	Cynthia F. Dmochowski
Art Unit	2171
Examiner Name	N/A
Attorney Docket Number	C. DMOCHOWSKI 1-1-1-1

Please change the Correspondence Address for the above-identified patent application to:

☒ Customer Number :

OR

☐ Firm or Individual Name

Address

Address

City State Zip

Country

Telephone Fax

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:

- ☐ Applicant/Inventor
- ☐ Assignee of record of the entire interest.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☒ Attorney or Agent of record. Registration Number
- ☐ Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number

Typed or Printed Name

Signature 

Date

Telephone

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EXHIBIT B3

REC'D AUG 05 2004

C. DMOCHOWSKI 1-1-1-1 (AGER-122851)

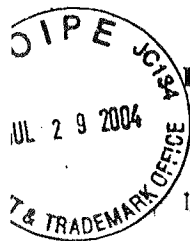
Inventor: Cynthia F. Dmochowski, et al.
Title: "Online Capital Approval Process"
Filing Date: December 6, 2001
Serial No.: 10/010,656

The Commissioner of Patents and Trademarks Office "Received" stamp
imprinted hereon acknowledges the filing of:

Associate Power of Attorney (1 pg.); Change of Correspondence Address (1
pg.)



EXHIBIT B4i

2171
Rw

DOCKET NO. : C. DMOCHOWSKI 1-1-1-1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Cynthia F. Dmochowski, et al.

Serial No.: 10/010,656
Filed: December 6, 2001
For: ONLINE CAPITAL APPROVAL PROCESS
Group No.: 2171
Examiner: N/A

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, as an application addressed to: Commissioner for Patents, Alexandria, VA 22313, on 26 July 2004 (Date)
Signature of David H. Hitt
(Printed name of person signing the certificate)
(Signature of the person signing the certificate)

Sir:

ASSOCIATE POWER OF ATTORNEY

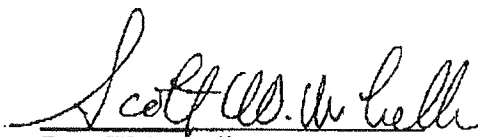
Please recognize:

David H. Hitt, Registration No. 33,182
Charles W. Gaines, Registration No. 36,804
Greg H. Parker, Registration No. 44,995
Jimmy L. Heisz, Registration No. 38,914
Richard D. Krobusek, Registration No. 44,851
James Joel Justiss, Registration No. 48,981
Ron J. Corbett, Registration No. 47,500

of Hitt Gaines, P.C.; P.O. Box 832570, Richardson, Texas 75083-2570 as our associate attorneys/agents in the above-mentioned application, with full power to prosecute said application, to make alterations and amendments therein, and to transact all business in the Patent and Trademark Office connected therewith.

Telephone calls should be made to David H. Hitt by dialing (972) 480-8800.

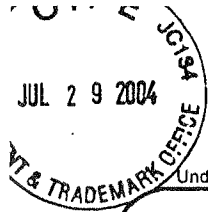
All written communications are to be addressed to David H. Hitt of Hitt Gaines, P.C.; P.O. Box 832570, Richardson, Texas 75083-2570.


Scott W. McLellan
Attorney for Applicants
Registration No. 30,776

Date: 21 July 2004

EXHIBIT B4ii

JUL 29 2004



PTO/SB/122 (09-03)

Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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CHANGE OF CORRESPONDENCE ADDRESS *Application*

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450.

Application Number	10/010,656
Filing Date	December 6, 2001
First Named Inventor	Cynthia F. Dmochowski
Art Unit	2171
Examiner Name	N/A
Attorney Docket Number	C. DMOCHOWSKI 1-1-1-1

Please change the Correspondence Address for the above-identified patent application to:

☒ Customer Number : 27964

OR

☐ Firm or Individual Name Hitt Gaines, P.C.

Address P.O. Box 832570

Address

City Richardson State Texas Zip 75083

Country United States of America

Telephone 972-480-8800 Fax 972-480-8865

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:

- ☐ Applicant/Inventor
- ☐ Assignee of record of the entire interest.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☒ Attorney or Agent of record. Registration Number 33,182
- ☐ Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number

Typed or Printed Name David H. Hitt

Signature

Date JUL 26, 2004 Telephone 972-480-8800

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EXHIBIT C1**DOCKET NO. 1-1-1-1****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Cynthia Dmochowski.

Serial No.:

10/010,656

Filed:

December 6, 2001

For:

ONLINE CAPITAL APPROVAL PROCESS

Group No.:

3624

Examiner:

Charles R. Kyle

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300) on September 29, 2005

Marty Ballo
Printed or typed name of person signing the certificate

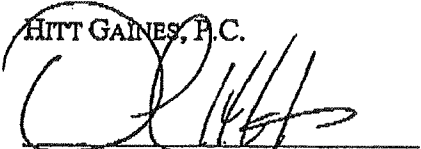
9-29-05 Marty Ballo
Date of Mailing Signature of person mailing

STATUS INQUIRY

Please advise us as to the status of the above-referenced patent application. The application was filed on December 6, 2001, and we have not yet received a First Office Action.

Respectfully submitted,

HITT GAINES, P.C.


David H. Hitt

Registration No. 33,182

Date: September 29, 2005

Hitt Gaines, P.C.

P.O. Box 832570

Richardson, Texas 75083-2570

(972) 480-8800

JUL 18. 2006 3:23PM

HITT GAINES 9724808865

NO. 5590 P. 2

EXHIBIT C2

DOCKET NO. 1-1-1-1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

In re application of:

Cynthia Dmochowski.

JUL 18 2006

Serial No.: 10/010,656

Filed: December 6, 2001

For: ONLINE CAPITAL APPROVAL PROCESS

Group No.: 3624

Examiner: Charles R. Kyle

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being facsimile transmitted to
the Patent and Trademark Office (Fax No. (571) 273-8300) on
July 18, 2006

Sir:

Marty Balke
Printed or typed name of person signing the certificate

Marty Balke
Signature of person mailing

STATUS INQUIRY

Please advise us as to the status of the above-referenced patent application. The
application was filed on December 6, 2001, and we have not yet received a First Office
Action.

Respectfully submitted,

HITT GAINES, P.C.

David H. Hitt

Registration No. 33,182

Date: July 18, 2006

Hitt Gaines, P.C.
P.O. Box 832570
Richardson, Texas 75083-2570
(972) 480-8800

EXHIBIT C3i

DOCKET NO. DMOCHOWSKI 1-1-1-1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Cynthia Dmochowski, et al.

Serial No.: 10/010,656

Filed: December 6, 2001

For: ONLINE CAPITAL APPROVAL PROCESS

Group No.: 3624

Examiner: Charles R. Kyle

Confirmation No: 8740

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

ELECTRONIC FILING CERTIFICATE

I hereby certify that this correspondence, including the attachments listed, is being electronically filed with the USPTO on the date show below:

2-16-07

Date of Filing

Karen Vertz

Typed or printed name of person signing the certificate

Karen Vertz

Signature of person signing the certificate

STATUS INQUIRY

Please advise us as to the status of the above-referenced patent application. The application was filed on December 6, 2001, and we have not yet received a First Office Action.

Respectfully submitted,

HITT GAINES, P.C.

/David H. Hitt/

David H. Hitt

Registration No. 33,182

Date: February 16, 2007
Hitt Gaines, P.C.
P.O. Box 832570
Richardson, Texas 75083-2570
(972) 480-8800

Acknowledgement Receipt

The USPTO has received your submission at **14:06:32** Eastern Time on **16-FEB-2007**.

No fees have been paid for this submission. Please remember to pay any required fees on time to prevent abandonment of your application.

eFiled Application Information

EFS ID	1522431
Application Number	10010656
Confirmation Number	8740
Title	Online capital approval process
First Named Inventor	Cynthia Florence Dmochowski
Customer Number or Correspondence Address	Lester H. Birnbaum 6308 Sauterne Drive Macungie PA 18062 US 6105309166
Filed By	David H. Hitt/Karen Vertz
Attorney Docket Number	1-1-1-1
Filing Date	06-DEC-2001
Receipt Date	16-FEB-2007
Application Type	Utility

DOCKET ✓**Application Details**

Submitted Files	Page Count	Document Description	File Size	Warnings
Status_Inquiry.pdf	1	Request for status of Application	42395 bytes	◆ PASS

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

If you need help:

- Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail EBC@uspto.gov for specific questions about Patent e-Filing.
- Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).
- If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.

EXHIBIT D1



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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RECEIVED
OIPE/AP

OCT 20 2005

Lester H. Birnbaum
6308 Sauterne Drive
Macungie, PA 18062

DATE: 10/04/2005

To: Applicant of Serial Number 10010656
Filed on 06-DEC-2001
(Art Unit 3624)

It is estimated that this application will receive an Office action in approximately 18 months. This is an estimate that is based on the current inventory level of applications filed in this art area and the current staffing levels in this Art Unit. The USPTO is dedicated to minimizing first action and total pendency, and we are targeting resources to help address backlogs in art areas with high new application filings. Thank you for your inquiry.

Customer Service Office in Technology Center: 3600

Phone Number: 571-272-3600
Central Fax Number: 571-273-8300

Applicant/Attorney Contact Information:

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/010,656	12/06/2001	Cynthia Florence Dmochowski	1-1-1-1	8740

7590

07/21/2006

Lester H. Birnbaum
6308 Sauterne Drive
Macungie, PA 18062

EXAMINER

KYLE, CHARLES R

ART UNIT

PAPER NUMBER

3624

DATE MAILED: 07/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

EXHIBIT D2ii



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Lester H. Birnbaum
6308 Sauterne Drive
Macungie, PA 18062

DATE: 07/20/2006

To: Applicant of Serial Number 10010656
Filed on 06-DEC-2001
(Art Unit 3624)

It is estimated that this application will receive an Office action in approximately 3 months. This is an estimate that is based on the current inventory level of applications filed in this art area and the current staffing levels in this Art Unit. The USPTO is dedicated to minimizing first action and total pendency, and we are targeting resources to help address backlogs in art areas with high new application filings. Thank you for your inquiry.

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Phone Number: 571-272-3600

Central Fax Number: 571-273-8300

Applicant/Attorney Contact Information:

Phone Number:

Fax Number:

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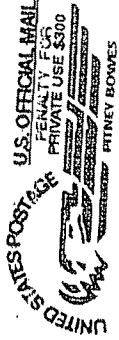
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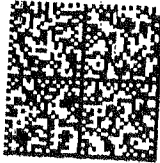
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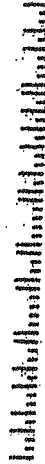
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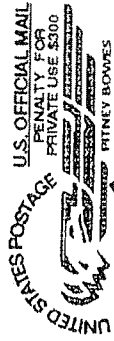
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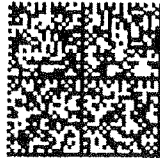
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PATENT APPLICATION INFORMATION RETRIEVAL



Search results for application number: 10/010,656			
Application Number:	10/010,656	Customer Number:	-
Filing or 371(c) Date:	12-06-2001	Status:	Docketed New Case - Ready for Examination
Application Type:	Utility	Status Date:	06-20-2002
Examiner Name:	KYLE, CHARLES R	Location:	ELECTRONIC
Group Art Unit:	3624	Location Date:	-
Confirmation Number:	8740	Earliest Publication No:	US 2003-0110114 A1
Attorney Docket Number:	1-1-1-1	Earliest Publication Date:	06-12-2003
Class/ Sub-Class:	705/036	Patent Number:	-
First Named Inventor:	Cynthia Dmochowski, Wyomissing, PA (US)	Issue Date of Patent:	-
Title Of Invention:	Online capital approval process		

Search Options

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File History	
Date	Contents Description
05-12-2004	IFW TSS Processing by Tech Center Complete
10-11-2002	Petition Decision - Denied
10-11-2002	Petition Decision - Denied
07-22-2002	Petition Entered
07-22-2002	Petition Entered
06-20-2002	Case Docketed to Examiner in GAU
05-14-2002	Application Dispatched from OIPE
05-07-2002	Application Is Now Complete
03-08-2002	Additional Application Filing Fees
03-08-2002	Applicant has submitted new drawings to correct Corrected Papers problems
01-08-2002	Corrected Paper
12-20-2001	IFW Scan & PACR Auto Security Review
12-06-2001	Initial Exam Team nn



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PATENT APPLICATION INFORMATION RETRIEVAL



Search results as of: 12-9-2004::11:17:4 E.T.

Search results for application number: 10/010,656			
Application Number:	10/010,656	Customer Number:	-
Filing or 371(c) Date:	12-06-2001	Status:	Docketed New Case - Ready for Examination
Application Type:	Utility	Status Date:	06-20-2002
Examiner Name:	KYLE, CHARLES R	Location:	ELECTRONIC
Group Art Unit:	3624	Location Date:	-
Confirmation Number:	8740	Earliest Publication No:	US 2003-0110114 A1
Attorney Docket Number:	1-1-1-1	Earliest Publication Date:	06-12-2003
Class/ Sub-Class:	705/036	Patent Number:	-
First Named Inventor:	Cynthia Dmochowski, Wyomissing, PA (US)	Issue Date of Patent:	-
Title Of Invention:	Online capital approval process		

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File History	
Date	Contents Description
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PATENT APPLICATION INFORMATION RETRIEVAL



Search results as of: 4-19-2005::16:57:23 E.T.

Search results for application number: 10/010,656			
Application Number:	10/010,656	Customer Number:	-
Filing or 371(c) Date:	12-06-2001	Status:	Docketed New Case - Ready for Examination
Application Type:	Utility	Status Date:	06-20-2002
Examiner Name:	KYLE, CHARLES R	Location:	ELECTRONIC
Group Art Unit:	3624	Location Date:	-
Confirmation Number:	8740	Earliest Publication No:	US 2003-0110114 A1
Attorney Docket Number:	1-1-1-1	Earliest Publication Date:	06-12-2003
Class/ Sub-Class:	705/036	Patent Number:	-
First Named Inventor:	Cynthia Dmochowski, Wyomissing, PA (US)	Issue Date of Patent:	-
Title Of Invention:	Online capital approval process		

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File History	
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07-21-2004	Miscellaneous Incoming Letter
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PATENT APPLICATION INFORMATION RETRIEVAL



Search results as of: 9-29-2005::11:53:15 E.T.

Search results for application number: 10/010,656			
Application Number:	10/010,656	Customer Number:	-
Filing or 371(c) Date:	12-06-2001	Status:	Docketed New Case - Ready for Examination
Application Type:	Utility	Status Date:	06-20-2002
Examiner Name:	KYLE, CHARLES R	Location:	ELECTRONIC
Group Art Unit:	3624	Location Date:	-
Confirmation Number:	8740	Earliest Publication No:	US 2003-0110114 A1
Attorney Docket Number:	1-1-1-1	Earliest Publication Date:	06-12-2003
Class/ Sub-Class:	705/036	Patent Number:	-
First Named Inventor:	Cynthia Dmochowski, Wyomissing, PA (US)	Issue Date of Patent:	-
Title Of Invention:		Online capital approval process	

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Date	Contents Description
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PATENT APPLICATION INFORMATION RETRIEVAL



Search results as of: 1-31-2006::16:28:34 E.T.

Search results for application number: 10/010,656			
Application Number:	10/010,656	Customer Number:	-
Filing or 371(c) Date:	12-06-2001	Status:	Docketed New Case - Ready for Examination
Application Type:	Utility	Status Date:	06-20-2002
Examiner Name:	KYLE, CHARLES R	Location:	ELECTRONIC
Group Art Unit:	3624	Location Date:	-
Confirmation Number:	8740	Earliest Publication No:	US 2003-0110114 A1
Attorney Docket Number:	1-1-1-1	Earliest Publication Date:	06-12-2003
Class/ Sub-Class:	705/036	Patent Number:	-
First Named Inventor:	Cynthia Dmochowski, Wyomissing, PA (US)	Issue Date of Patent:	-
Title Of Invention:	Online capital approval process		

Search Options

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File History	
Date	Contents Description
09-29-2005	Miscellaneous Incoming Letter
07-21-2004	Miscellaneous Incoming Letter
05-12-2004	IFW TSS Processing by Tech Center Complete
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10-11-2002	Petition Decision - Denied
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05-07-2002	Application Is Now Complete
03-08-2002	Additional Application Filing Fees
03-08-2002	Applicant has submitted new drawings to correct Corrected Papers problems
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10/010,656	12/06/2001	Cynthia Florence Dmochowski	1-1-1-1	8740

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Lester H. Birnbaum
6308 Sauterne Drive
Macungie, PA 18062

11/06/2006

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ART UNIT

PAPER NUMBER

3691

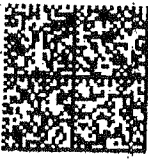
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8/6/07 Review - 5 mo past abandon
11/6/07 Review - 9 mo past abandon
5/6/08 Review - 12 mo past abandon

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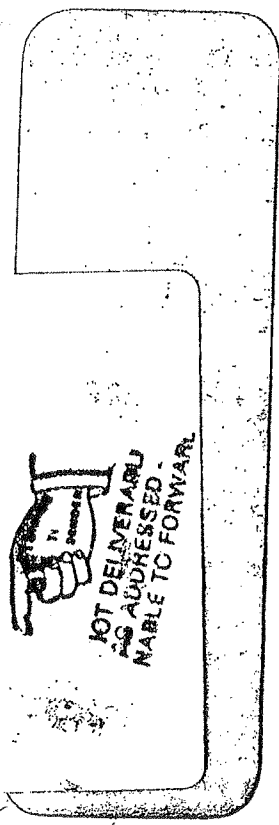


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REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	10/010,656
	Filing Date	12/08/2001
	First Named Inventor	Cynthia Florence Dmochowski
	Art Unit	3691
	Examiner Name	I. Jung Liu
	Attorney Docket Number	DMOCHOWSKI 1-1-1-1

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number: 27964

☒ Please change the correspondence address for the above-identified application to:

☒ The address associated with
Customer Number:

27964

OR


<input type="checkbox"/> Firm or Individual Name					
Address					
City		State		Zip	
Country					
Telephone		Email			

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Signature			
Name	David L. Smith		
Date	August 15, 2009	Telephone	610-712-3784

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ *Total of 1 forms are submitted.

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/010,656	12/06/2001	Cynthia Florence Dmochowski	DMOCHOWSKI-1-1-1-1

27964
HITT GAINES P.C.
P.O. BOX 832570
RICHARDSON, TX 75083

CONFIRMATION NO. 8740



OC000000025547607

Date Mailed: 08/24/2007

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 08/16/2007.

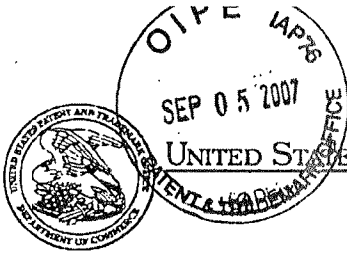
The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

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www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/010,656	12/06/2001	Cynthia Florence Dmochowski	1-1-1-1

Lester H. Birnbaum
6308 Sauterne Drive
Macungie, PA 18062

CONFIRMATION NO. 8740



OC000000025547597

Date Mailed: 08/24/2007

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 08/16/2007.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199
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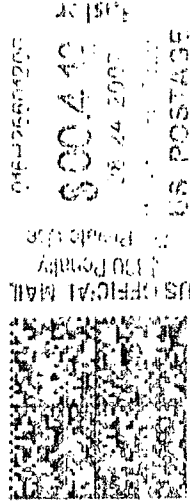
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